UNITED
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6 January 1995
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ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 40
QUESTION OF PALESTINE

SECURITY COUNCIL
Fiftieth year

Letter dated 6 January 1995 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General

In my capacity as Chairman of the Group of Arab States for January 1995, I have the honour to transmit to you the text of resolution 5451 on the settlements in the occupied Palestinian and Arab territories adopted on 5 January 1995 at the end of the special session of the Council of the League of Arab States.

I should be grateful if you would have this letter and its annex distributed as a document of the General Assembly, under agenda item 40 entitled "Question of Palestine", and of the Security Council.

(Signed) Ramtane LAMAMRA
Permanent Representative of Algeria
to the United Nations and
Chairman of the Group of Arab States

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ANNEX

Resolution

Settlements in the occupied Palestinian and Arab Territories

The Council of the League of Arab States,

Having taken cognizance of the memoranda by the State of Palestine and the Secretariat, as well as of the relevant previous resolutions of the Council of the League and the United Nations resolutions on this subject,

Recalling the constant violations by the State of Israel of the resolutions of international bodies relating to the halting of the settlement process,

1. Condemns the policy of the occupying Israeli authorities, which comprises using protection of the settlers as a pretext for expanding and consolidating the settlements in the occupied Palestinian territories, in particular in the city of Jerusalem, a policy which constitutes a flagrant violation of the resolutions of international bodies and seriously compromises the ongoing peace process;

2. Calls on the Security Council to take as a matter of urgency the necessary measures to compel Israel to implement Security Council resolution 465 (1980), paragraphs 5 and 6 of which read as follows:

> "5. Determines that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;
>
> "6. Strongly deplores the continuation and persistence of Israel in pursuing those policies and practices and calls upon the Government and people of Israel to rescind those measures, to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;"

3. Invites the two States sponsoring the peace process to take all possible action to prevent Israel from continuing the establishment of settlements and induce it to comply with the Security Council resolutions on this question;

4. Urges the United States of America, in particular, to compel Israel to comply with the conditions it subscribed to in order to obtain guarantees of American loans, and in the first place the freezing of the settlement process in all the occupied Palestinian and Arab territories;

5. Invites member countries to intensify contacts with the international bodies concerned with a view to bringing pressure to bear on Israel to put an end to the establishment of settlements in the occupied Palestinian territories;

6. Pays tribute to the Palestinian people of the occupied Palestinian territories for its heroic resistance to the Israeli policy of settlement, repression and displacement;

7. Reaffirms its resolution 5216 of 12 December 1992 on the situation in Jerusalem;

8. Requests the Secretary-General to continue contacts at various levels with a view to the implementation of the present resolution and to submit a report to a forthcoming session of the Council of the League of Arab States.

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S/1995/12
8 January 1995
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LETTER DATED 6 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and further to our letter dated 4 October 1994 (S/1994/1131), I should like to inform you that on 17 November 1994 British Member of Parliament Sir David Steele addressed a letter to the British Minister of Defence, Mr. Malcolm Rifkind, in which he expressed concern that projectiles made from depleted uranium had been used against Iraq by British forces. The Minister replied in a letter dated 6 December 1994, admitting that British forces had used 88 depleted-uranium projectiles against Iraqi armour, stating that United States forces had used greater numbers and claiming that the Geneva Conventions permit such use. Although the Minister admits in his letter that radiation from such projectiles has an impact on the health of those on whom they are used, he states that his Ministry has studied the Iraqi report on the matter and that there are no previous reports linking the use of depleted uranium with the appearance of the symptoms of disease to which the Iraqi report refers.

The statement of the British Minister to the effect that the Geneva Conventions permit the use of such weapons is untrue. The use of the weapons in question constitutes a violation of international humanitarian law, and it does so for the following reasons:

1. It is true that the Geneva Conventions of 1949 do not explicitly prohibit the use of radiation weapons but, at the same time, neither do they permit their use. Furthermore, the 1977 Protocol I Additional to the Geneva Conventions addresses the subject of methods and means of warfare and, in its article 25, lays down basic rules in this respect, as follows:

> "1. In any armed conflict, the rights of the Parties to the conflict to choose methods or means of warfare is not unlimited.
>
> "2. It is prohibited to employ weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering.
>
> "3. It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment."

2. The 1907 Hague Convention prohibits the use of weapons that assail civilian and military targets indiscriminately, and it therefore applies to projectiles of this kind that emit radiation and toxins and have long-term effects on the population and on the environment.

The above facts, combined with the admission of the British Minister of Defence that weapons of this kind were used against Iraq, place on the international community and its institutions the responsibility of examining these grave violations, which, by reason of the fact that they are in contravention of the laws and customs of war, are to be regarded as war crimes for which States and individuals can be held responsible.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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S/1995/13
9 January 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 9 JANUARY 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you of Kuwait's position with respect to the new developments that have taken place in connection with Iraq's compliance with the Security Council resolutions relating to its aggression against the State of Kuwait since the Council's most recent review of the sanctions regime on 14 November last.

I refer to the letter dated 12 November 1994 from the Minister for Foreign Affairs of Iraq addressed to you (S/1994/1288) transmitting the Declaration of the Iraqi National Assembly of 10 November 1994 and Decree of the Revolution Command Council of the Republic of Iraq No. 200, both affirming Iraq's recognition of the sovereignty and territorial integrity of Kuwait and of its international boundaries as endorsed by the provisions of Security Council resolution 833 (1993). The Kuwaiti Cabinet met on 12 November 1994 under the chairmanship of His Highness the Crown Prince and Prime Minister and with the Speaker of the National Assembly in attendance. It issued a statement expressing its appreciation of the importance of the step taken, one that it had been incumbent on Iraq to take since its unconditional acceptance of Security Council resolution 687 (1991) of 3 April 1991, and affirming that the decision on recognition was a step in the right direction for Iraq's implementation of all the Security Council resolutions relating to its aggression against Kuwait. It had come about as a result of the insistence of the international community, as represented by the Security Council, that Iraq must implement all of the Security Council resolutions, the political and legal unity of whose provisions must be stressed.

The step taken by Iraq must be followed by similar steps for the effective implementation of all the relevant Security Council resolutions, there having been no appreciable change in Iraq's record with respect to the implementation of the remaining obligations imposed by the cease-fire resolution, namely resolution 687 (1991).

An issue to which Kuwait attaches the utmost priority and importance in view of its purely humanitarian character is that of the prisoners and hostages. Despite its seeming cooperation in the issue of prisoners and hostages and its

pro-forma attendance at the meetings of the tripartite committee (which comprises representatives of Iraq, the International Committee of the Red Cross (ICRC) and the Coalition States), Iraq has yet to discharge its obligations under paragraph 30 of resolution 687 (1991), in which the Council decides that Iraq shall extend all necessary cooperation to ICRC by permitting it to visit the places where persons are imprisoned or detained and by facilitating the ICRC search for them. Despite the passage of nearly two years since it took official delivery of some 600 individual files through ICRC, Iraq has not yet responded and has thus violated the undertaking previously given by it to respond to any file within 10 days of receiving it.

Kuwait urges the States members of the Security Council to maintain their resolute positions of principle and to continue their earnest endeavours to compel Iraq to release all Kuwaiti and third-country prisoners and detainees.

Furthermore, Iraq's apparent cooperation in the matter of the return of the property seized during its invasion and occupation of Kuwait must not divert attention from the fact that there are many items, of which lists have been submitted by Kuwait, that have yet to be returned. Most significantly, almost 200 armoured vehicles remain in Iraq's possession and they were used by the Iraqi regime in its recent military deployments near the boundaries with Kuwait. Iraq also maintains its refusal to return the HAWK missile system, which remains in its possession. Kuwait attaches the utmost importance to the return by Iraq of all the official documents stolen by Iraqi forces from the Office of the Amir, the Office of the Crown Prince, the Cabinet Office and the Ministry of Foreign Affairs. No price can compensate for such documents, and they cannot be regarded as property such as that referred to the United Nations Compensation Commission. The Iraqi authorities continue to insist, moreover, that they are not responsible for the return of property stolen from the private sector. The value of that property exceeds hundreds of millions of dollars, and it was dispatched to Iraq on the basis of inventories drawn up by Iraqi ministries and signed and stamped by designated government agencies that came to Kuwait to supervise the theft and removal operations. We have in our possession originals and copies of the documents left behind by the Iraqi regime on its ejection. Iraq has not, moreover, discharged its obligations with regard to the United Nations Compensation Fund, the renunciation of terrorism and the implementation of Security Council resolutions 706 (1991) and 712 (1991).

While Kuwait attaches particular importance to the implementation by Iraq of the provisions of Security Council resolution 949 (1994), which was adopted unanimously by the members of the Council, it would like to affirm that it is important and essential for Iraq to take the necessary steps for the effective implementation of all the Security Council resolutions in order to demonstrate its peaceful intentions towards the State of Kuwait and neighbouring States in a manner conducive to strengthening the foundations of security and stability in this vital region of the world.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nasser S. B. AL-SABEEH
Chargé d'affaires a.i.

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~~A/49/824~~
S/1995/14
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GENERAL ASSEMBLY
Forty-ninth session
Agenda items 38, 40 and 79
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
COMPREHENSIVE REVIEW OF THE WHOLE
QUESTION OF PEACE-KEEPING OPERATIONS
IN ALL THEIR ASPECTS

SECURITY COUNCIL
Fiftieth year

Letter dated 9 January 1995 from the Permanent Observer for Palestine to the United Nations addressed to the Secretary-General

I am instructed to bring the following urgent and important matter to your attention.

Israel, the occupying Power, continues the illegal policy and practice of building settlements in the occupied Palestinian territory and allowing more Israeli settlers to move to those settlements, in direct and grave violation of article 49 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and in violation of numerous Security Council resolutions, particularly resolutions 446 (1979), 452 (1979) and 465 (1980).

More Palestinian land is being confiscated, present settlements are being expanded, additional units are being completed and even new settlements are being established, especially in and around occupied East Jerusalem. Since September 1994, several announcements that have been made by high-level Israeli officials indicate a worsening in Israel's position on this fundamental issue, and recently Israeli policies and practices have created real crises in this regard.

Such a policy and practice of the occupying Power, in addition to its grave violations of international humanitarian law and Security Council resolutions, is a clear attempt to create additional illegal facts, pre-empting negotiations on a final settlement between the Palestinian and Israeli sides. That, of

course, violates the spirit and letter of the Declaration of Principles signed by the Government of Israel and the Palestine Liberation Organization on 13 September 1993 at Washington, D.C.

We believe that this policy and practice undermines confidence and threatens the peace process as a whole, and that it must be brought to an immediate end in order for the process to continue and succeed. The international community and the Security Council bear a special responsibility in this regard to guarantee the integrity of international law and that of the Council's own resolutions. Moreover, the two co-sponsors of the peace process should fulfil their duties in preserving the integrity of the agreements that have been reached in a way which would guarantee the successful progression of the process towards the achievement of a just and lasting peace. A special responsibility also rests on the shoulders of the United States Administration in preserving the understanding reached with the Israeli Government with regard to Israel's settlement activities and their effect on the provision of the loan guarantees.

Finally, I should like to refer to the letter of the Chairman of the Arab Group for the month of January 1995, addressed to you (A/49/832-S/1995/11) on the same subject, and to call upon the Security Council to formally and urgently deal with the issue of Israeli illegal settlements and to take steps to end the present threat to the peace process. I also wish to call upon you to use your good offices in this regard.

I should be grateful if you would arrange to have the text of this letter distributed as an official document of the General Assembly, under agenda items 38, 40 and 79, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer for Palestine
to the United Nations

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Security Council

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S/1995/15
9 January 1995

ORIGINAL: ENGLISH

LETTER DATED 9 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey to you the text of the eighth report of the Multinational Force in Haiti (MNF), dated 9 January 1995, submitted to the Security Council in accordance with paragraph 13 of Security Council resolution 940 (1994).

I would be grateful if you would circulate the present letter and the accompanying assessment as a document of the Security Council.

(Signed) Madeleine K. ALBRIGHT
Permanent Representative

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Annex

Eighth report of the Multinational Force in Haiti

I. INTRODUCTION

1. United Nations Security Council resolution 940 (1994) authorizes "Member States to form a multinational force ... to use all necessary means to facilitate the departure from Haiti of the military leadership, consistent with the Governors Island Agreement, the prompt return of the legitimately elected President and the restoration of the legitimate authorities of the Government of Haiti, and to establish and maintain a secure and stable environment that will permit the implementation of the Governors Island Agreement." The resolution further requests States members of the multinational force "to report to the Security Council at regular intervals".

2. This is the eighth such report summarizing the operations of the multinational force in Haiti from 19 December 1994 to 9 January 1995. It reports the coalition's progress towards achieving the objectives laid out in resolution 940 (1994).

II. SUMMARY OF OPERATIONS

3. As the multinational force operation continues towards the transition to the United Nations Mission in Haiti (UNMIH), the three-week period from 19 December to 8 January was characterized by continued security and stability in Haiti. The strength of the multinational force is 7,412 troops and 717 international police monitors. The combination of international police monitors deployments to 10 locations throughout the country, Interim Public Security Force deployments in 25 locations outside Port-au-Prince, the continued presence of forces of the Caribbean Community (CARICOM) in Cap Haitien, and the addition of contracted security personnel in Port-au-Prince contributed significantly to this objective and allowed the continued drawdown of multinational force levels. The multinational forces continued their presence operations in outlying areas, visiting all 133 districts by the end of December. Special Forces have conducted operations in over 500 towns, and are based in 27 locations. The security situation in Haiti is positive, with multinational force efforts focused on continuing the development of the Haitian security system and establishing the conditions for the transition to UNMIH.

4. One exception to the general environment of stability came on 26 December. The Forces armées d'Haiti concerns about a sharp reduction in force and uncertainty about pay and retirement benefits resulted in a period of growing tension between the Forces armées and the Government of Haiti. This culminated in a brief eruption of violence 26 December at Forces armées headquarters. Multinational force forces reacting to the disturbance moved immediately to the Forces armées headquarters and engaged armed members. An analysis of the incident revealed a spontaneous event resulting from poor communications which confused and upset the soldiers and led them to believe they would lose their jobs and pay. The incident resulted in three members of the Forces armées

killed and six wounded. There were no multinational force casualties and the situation has been calm in the following days.

5. The Government of Haiti has reiterated its intention to provide for the interim police, the new military and those separated from the military. President Aristide spoke to these concerns in his 1 January address, saying that his Government will make efforts to absorb demobilized soldiers into the workforce. During the past two weeks, incidents of violence among Haitians were minimal and primarily criminal in nature. In order to reduce crime further, the multinational force has conducted additional daily patrols from 0100 to 0500 hours in high-crime areas in the Port-au-Prince port area and in Petionville. In Cap Haitien, the CARICOM contingent has expanded its sector to include most of the city. This has freed the Guatemalan contingent to conduct other operations such as show-of-presence missions in outlying areas.

6. Multinational force static security requirements in Port-au-Prince have been significantly reduced since 16 December, when a private security company assumed responsibility for securing some government properties, including the Mayor's office and the legislative buildings.

7. The expansion of the multinational force into the outlying areas continues. By the end of December 1994, the multinational force will have had a force presence in all 133 subdistricts of Haiti. Conventional infantry units continue an aggressive campaign to expand the multinational force presence throughout the country by providing force presence for periods of one to two days to areas not visited previously. Multinational force forces continue to be welcomed into the outlying areas by the local population. Missions completed in this period include Mole St. Nicolas, St. Michel de l'Atalaye, Labadi, Pilate and Belladere. Bangladeshi and Guatemalan contingents have participated in these operations.

8. The threat to multinational force forces remains low. Isolated incidents of crime within the Port-au-Prince area and the need to assess arms control and reduction measures have prompted the multinational force to continue to plan and execute force-presence operations within Port-au-Prince. The multinational force continued local patrols and roadblocks, which have proven to be very productive and will continue as a deterrent to crime. Results have indicated that essentially no weapons are being moved or carried by the general public in Port-au-Prince.

9. In this period, the weapons control programme took in a total of 117 weapons and 592 HE/CS devices. The total number of weapons that have either been seized or bought in weapons control programmes since the beginning of the multinational force is 20,345, including 5,853 grenades and 1,736 machine-guns.

III. ESTABLISHING A SECURE AND STABLE ENVIRONMENT

10. During the period covered by the present report, clear progress continued on the establishment of the Haitian Interim Public Security Force. The multinational force, with assistance from the international police monitors, continues to make significant progress with the establishment of the Interim

Public Security Force. The acceptance of the Interim Public Security Force in the country has improved markedly, especially in the southern half of Haiti.

11. The international police monitors continue to coach, mentor and monitor the Interim Public Security Force. On 17 December, 482 students graduated from the eighth cycle of the six-day transition course for the Interim Public Security Force. This cycle included students from the Port-au-Prince military units and from the north-east department. This was the final regular cycle and brought the total number of Interim Public Security Force graduates to 2,990. Interim Public Security Force personnel are deployed in 26 locations throughout Haiti.

12. The second group of Guantanamo police trainees graduated on 16 December from their five-day orientation course given by the Ministry of Defence at Lamentin Barracks in Port-au-Prince. This group was designated to work in Port-au-Prince, and reported for work at police headquarters on 26 December. The third group of 243 Guantanamo police trainees arrived in Haiti on 17 December, received a similar orientation course, and were transported by the multinational force to work locations in Port de Paix, Cap Haitien, Fort Liberté, Hinche, Gonaives, and St. Marc. The fourth and final group of 211 trainees arrived on 23 December, and began their orientation.

13. The multinational force continues to assist local governments and civil action projects with the priority of effort to road repair and food distribution. The multinational force also continues to conduct joint operations with the United States Coast Guard. The Coast Guard provides resources enabling the multinational force to enter from the sea into areas not accessible by road. Finally, the ongoing coordination and assistance with respect to non-governmental organizations and private voluntary organizations continues to be a force behind the restoration of stable conditions in Haiti.

14. A generic check-list was developed by multinational force engineers to assess prisons, police stations and schools in the outlying areas. Civil affairs officers coordinated the opening of a new Haitian police station in the Cité Soleil section of Port-au-Prince on 21 December 1994. Civil affairs also coordinated the delivery of school supply kits to Cap Haitien, Mirabalis, Brande Savane, Donte, and Fort Jaques.

15. On the elections front, the nine-member election committee has been named. The United States Agency for International Development and the United Nations are developing plans to support the elections.

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GENERAL ASSEMBLY
Fiftieth session
COOPERATION BETWEEN THE UNITED NATIONS AND THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fiftieth year

Letter dated 9 January 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement of the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia concerning the statement on the situation in Kosovo made on 21 December 1994 by the Minister for Foreign Affairs of Hungary and Chairman-in-Office of the Organization for Security and Cooperation in Europe (A/49/813-S/1994/1445).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under the items entitled "Cooperation between the United Nations and the Conference on Security and Cooperation in Europe" and "Human rights questions: human rights situations and reports of special rapporteurs and representatives", and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

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ANNEX

Statement made on 5 January 1995 by the Federal Ministry of Foreign Affairs of Yugoslavia

On 21 December 1994, the Minister for Foreign Affairs of Hungary, László Kovács, in his capacity of Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), made a statement on the situation in Kosovo (A/49/813-S/1994/1445).

This uncalled-for statement constitutes an abuse of the human rights theme it purportedly relates to, as well as an abuse of the status of the Chairman-in-Office of OSCE. It seeks to misrepresent the arrest of members of an illegal paramilitary and para-police organization in Kosovo and Metohija, created for the purpose of armed and forcible secession of a part of the Federal Republic of Yugoslavia, as "repression" and the "violation of basic human rights and of the fundamental norms of CSCE". In this connection, reference is made to some "events" in Raška and Vojvodina, without any explanation as to what they could be related to. This unargumented statement constitutes direct interference into internal affairs and an attempt to internationalize an internal question of the Federal Republic of Yugoslavia under the pretext of concern for human rights.

The Minister for Foreign Affairs of Hungary should know much better the actual situation in the Federal Republic of Yugoslavia. In that case, his statement, in line with the previous statements by the Government of Hungary, would reflect a greater degree of good intention towards neighbouring Yugoslavia. It would be normal to expect from the Foreign Minister that he supplement his knowledge with facts before making such categorical statements and before displaying such concern for, or even requesting the release of, "unjustly detained persons". His function also implies the knowledge that the Yugoslav Constitution and laws guarantee human rights and freedoms to all members of national minorities in accordance with valid European and world standards. The authorities of the Federal Republic of Yugoslavia have also been exerting maximum efforts in the present conditions of unjust sanctions to ensure that all Yugoslav citizens, irrespective of their nationality, exercise all their constitutionally guaranteed rights and obligations.

It comes therefore as a surprise that a legitimate action by the authorities of the Federal Republic of Yugoslavia, taken in protection of the constitutional order, which is what any country would do in a similar situation, is presented without any foundation as a violation of human rights. No State upholding the rule of law will tolerate the establishment and activity in its territory of illegal paramilitary and para-police forces, least of all activity directed towards the forcible destruction of its democratic constitutional order.

No matter in which capacity Mr. Kovács made the statement, the tone and wording employed in an attempt to impose unconditional demands on a sovereign State is absolutely unacceptable. On the other hand, it does not contribute to good-neighbourly relations between the Federal Republic of Yugoslavia and Hungary. Instead of requests for the "unconditional return of an OSCE mission

of longer duration", it was to be expected from Foreign Minister Kovács, in his capacity of Chairman-in-Office of OSCE, that he would launch an initiative for the full-fledged return of the Federal Republic of Yugoslavia to OSCE, whereby the door would be opened to new negotiations on the resumption of OSCE missions similar to those whose mandate has expired. The return to OSCE of the Federal Republic of Yugoslavia, one of its founders, is not only in the interest of the Federal Republic of Yugoslavia and Hungary, but also of security, peace and cooperation in Europe.

As a founding OSCE participating State, the Federal Republic of Yugoslavia remains committed to all its principles. The Federal Republic of Yugoslavia is lastingly determined to develop good-neighbourly cooperation on the basis of equality, full mutual respect and non-interference, which is in the interest of all countries of the region and Europe. Such an attitude is expected from all neighbouring and OSCE participating States.

We therefore call upon Hungary to accord its activities in international forums and organizations with its declared orientation and expressed interest to develop with the Federal Republic of Yugoslavia good-neighbourly cooperation and relations, confirmed during bilateral talks, including the meeting between the President of the Federal Republic of Yugoslavia, Mr. Zoran Lilić, and the President of Hungary, Mr. Arpad Goencz.

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10 January 1995

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Fiftieth session
MAINTENANCE OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 10 January 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Council of Citizens' Committee for Foreign Policy and Foreign Economic Relations and the Council of the Republics' Committee for Foreign Policy and Foreign Economic Relations of the Federal Assembly of the Federal Republic of Yugoslavia (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under the item entitled "Maintenance of international security", and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

95-00675 (E) 120195 130195

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ANNEX

Statement made on 6 January 1995 by the Council of Citizens' Committee for Foreign Policy and Foreign Economic Relations and the Council of the Republics' Committee for Foreign Policy and Foreign Economic Relations of the Federal Assembly of Yugoslavia concerning the declaration on the former Bosnia and Herzegovina adopted by the Turkish Grand National Assembly

The Council of Citizens' Committee for Foreign Policy and Foreign Economic Relations and the Council of the Republics' Committee for Foreign Policy and Foreign Economic Relations of the Federal Assembly of the Federal Republic of Yugoslavia as well as the entire Yugoslav public received with indignation and great dissatisfaction the declaration on the former Bosnia and Herzegovina adopted by the Turkish Grand National Assembly on 1 December 1994, recently circulated as the annex to document A/49/795-S/1994/1428 of 19 December 1994. By this explicitly anti-Yugoslav and anti-Serb document, Turkey has confirmed once again its biased approach to the settlement of the Yugoslav crisis and particularly to the conflict in this former Yugoslav republic.

The declaration of the Turkish Grand National Assembly demonstrates that Turkey is persistent in its unfounded and militant policy, based on the fiction of "Serbian aggression", abandoned by the most important international figures who have assessed that a civil war was at stake. Bosnian Serbs have been living in the former Bosnia and Herzegovina for centuries, constituting the majority population, they were a constituent people and today they account for more than one third of the population. It is obvious that Serbs cannot be aggressors against their own country. The conflict broke out because, contrary to the provisions on the consensus of the three constituent peoples of the Constitution of the former Bosnia and Herzegovina, and with the support of foreign entities, attempts were made to impose the concept of unitary constitutional order under which the Serb people would become a national minority and be forced to live under Muslim domination. Turkey was among the first countries to spearhead the support and to recognize the independence of such a Bosnia and Herzegovina.

By its one-sided approach, Turkey objectively encourages the war option, which makes it increasingly isolated because of the growing awareness in the world that a just and lasting solution in the former Bosnia and Herzegovina can be reached only by political means, on the basis of equal respect of the interests of all three parties, which the Federal Republic of Yugoslavia has been consistently advocating from the very outset of the crisis. By its position, which essentially undermines the peace efforts and encourages instability in the region, Turkey has disqualified itself as a factor in the peaceful settlement of the crisis. Thereby, the credibility of its participation in the United Nations Protection Force (UNPROFOR) and the Coordination Committee of the Conference on the Former Yugoslavia has been brought into question.

The Turkish Grand National Assembly calls for the protection of "Bosnian people", ignoring the fact that there neither was a Bosnian nation nor "Bosnian people" in the former Bosnia and Herzegovina, but three equal, constituent

peoples. At the same time, the fact that the Turkish Assembly has not requested protection for the other two peoples in the former Bosnia and Herzegovina is a gross discrimination on the basis of ethnic origin and religion in breach of the Charter of the United Nations and other relevant United Nations acts and the basic principles of the Organization for Security and Cooperation in Europe. This illustrates, inter alia, the Greater Turkish expansionist goals and dreams of the return of Turkey to the Balkans. Along these lines too are the statements made at the time by the highest Turkish personalities on the "Turkish world from the Adriatic Sea to the Great Wall of China".

The Turkish Grand National Assembly has been closing its eyes to the numerous examples of flagrant violation of human rights in Turkey itself, particularly to the internal war of the Turkish Army against the Kurds, who are denied fundamental national and political rights. If Turkey wishes to qualify itself morally to call on others and to teach them lessons, it must first resolve its own problems in a democratic way.

By pursuing its anti-Yugoslav and anti-Serb policy, continually advocating the use of force against the Serb people and interfering in the internal affairs of the Federal Republic of Yugoslavia, Turkey has brought its relations with Yugoslavia to the lowest point this century, endangering their very basis.

From the outset of the Yugoslav crisis, the Federal Republic of Yugoslavia has been consistently committed to a peaceful and political settlement as the only realistic approach. This approach leads to the stabilization of the situation not only in the territory of the former Yugoslavia, but of the entire region, which is in the interest of all Balkan countries.

The Federal Republic of Yugoslavia has a sincere and lasting interest in dialogue, normalization of relations and development of cooperation with Turkey, on the basis of equality and mutual respect. To that end, Turkey should eliminate the obstacles and adopt a more balanced position as regards the Yugoslav crisis and the situation in the former Bosnia and Herzegovina, cease its interference in the internal affairs of the Federal Republic of Yugoslavia by supporting the separatists in Kosovo and Metohija and Raška, and put an end to the insulting anti-Yugoslav and anti-Serb campaign based on fabrications.

UNITED
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Security Council

Distr.
GENERAL

S/1995/18
10 January 1995

ORIGINAL: ENGLISH

LETTER DATED 9 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 16 October 1994, 10 Iraqi commanders accompanied by two vehicles entered Iraq's Manzarieh sentry post at the geographical coordinates of ND 427-050 on the map of Khosravi, in no man's land, and left the area after 20 minutes.

2. On 16 October 1994, one unidentified airplane and one unidentified helicopter were observed flying westward at high altitude over Faw.

3. On 16 October 1994, 35 Iraqi motor boats with a total of 87 personnel were observed patrolling the Arvand Rud.

4. On 17 October 1994, 62 Iraqi motor boats with a total of 135 personnel were observed patrolling the Arvand Rud.

5. On 19 October 1994, 55 Iraqi motor boats with a total of 140 personnel were observed patrolling the Arvand Rud.

6. On 20 October 1994, 39 Iraqi motor boats were observed patrolling the Arvand Rud.

7. On 21 October 1994, at 0630 hours, Iraqi forces deployed a 14.5 mm canon near Goumeh-Sang sentry post at the geographical coordinates of NC 564-388 on the map of Sumar, west of border pillar 40/5.

8. On 22 October 1994, 48 Iraqi motor boats with a total of 146 personnel were observed patrolling the Arvand Rud.

9. On 23 October 1994, 61 Iraqi motor boats with a total of 125 personnel were observed patrolling the Arvand Rud.

10. On 24 October 1994, seven Iraqi forces were observed restoring an observation post near the geographical coordinates of NC 500-820 on the map of Sizdah, west of border pillar 46/5.

11. On 24 October 1994, an Iraqi commercial vessel was observed trafficking near the geographical coordinates of TP 690-140 on the map of Nahr-Alishahr.

12. On 24 October 1994, 72 Iraqi motor boats with a total of 188 personnel were observed patrolling the Arvand Rud.

It would be highly appreciated if the present letter were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

UNITED
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General Assembly
Security Council

Distr.
GENERAL

~~A/50/63~~
S/1995/19
10 January 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 9 January 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

In addition to my previous letters dated 5 October, 9 November and 5 December 1994 (A/49/473-S/1994/1129, A/49/655-S/1994/1272 and A/49/754-S/1994/1379 respectively), I have the honour to refer to your letter dated 4 January 1995 addressed to the President of the Security Council (S/1995/6) and its annex.

The latter report, although similar to previous reports, is to date the most unfortunate, in particular regarding the Co-Chairmen's interpretation of the standing Security Council resolution 820 (1993), in its paragraph 12. We would like to reiterate that resolution 820 (1993) remains in force, in spite of the failed attempt to reconfirm the applicability of some of its relevant provisions, due to the veto cast by a permanent member of the Security Council on 2 December 1994. The Co-Chairmen note that "some comments have been made about the relevance of Security Council resolution 820 (1993) ... to the activities of the Mission", in reference to paragraph 12 of resolution 820 (1993), which states:

> Decides that import to, export from and transshipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina, respectively."

From this clear and unambiguous language of the Security Council, the International Conference on the Former Yugoslavia Mission has concluded the following:

> "Paragraph 12 of resolution 820 (1993) empowers the Government of the Republic of Croatia to control authorizations for imports to, exports from and transshipments through the United Nations Protected Areas (UNPAs) in the Republic of Croatia only for the purpose of ensuring that no goods prohibited in respect of the Federal Republic of Yugoslavia (Serbia and Montenegro) by that resolution or by resolutions 757 (1992) and 787 (1992) are imported to, exported from or transshipped through those areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces without proper authorization from the Government of Bosnia and Herzegovina." (S/1994/6, annex, para. 6)

We wish to emphasize that it is solely within the sovereign rights of the Croatian Government - notwithstanding the provisions of Security Council resolutions 757 (1992), 760 (1992), 787 (1992) and 820 (1993) against the "Federal Republic of Yugoslavia (Serbia and Montenegro)" - to decide which goods are to be imported to, exported from or transshipped through these parts of Croatia, if it is assured that by no means the said goods could be diverted to the territory of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" or the parts of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serbs, and against the provisions of resolution 943 (1994).

Moreover, I should like to recall that the Security Council adopted the language of paragraph 12 of resolution 820 (1993) with the sole purpose of reiterating the sovereignty of the Republic of Croatia over its entire territory and within its internationally recognized borders. It was never the intention of my Government to isolate the local population living in the occupied territories, or to deprive them of their essentials. Our signature to the Agreement of 2 December 1994 reaffirms that commitment. However, there is not a single instance recorded where the local Serbs from the occupied territories came forward with the request for export, import or transshipment, in the 20 months since the adoption of resolution 820 (1993) and the appropriate internal legislation of Croatia.

Further, my Government finds outrageous the statement in paragraph 7 of the Co-Chairmen's report that they facilitated the supply of fuel to the Croatian Serbs in order to prevent them from being "thrown ... into the arms of the Bosnian Serbs", while the same oil provided by the International Conference on the Former Yugoslavia monitoring Mission enabled them to engage and remain engaged in most serious attacks on the United Nations safe area of Bihać, alongside their brethren from Bosnia and Herzegovina. We would like to emphasize that the policy of buying the positive attitude of the Serbs by providing them with fuel has proved short-sighted and harmful to the peace process.

In one communication, the Co-Chairman elaborated on the question of oil shipments. He believed that the fact that the Security Council could put an end to his illegal arrangements would give my Government a dangerous stranglehold on all supplies that would be allowed to enter the UNPAs, expressing his suspicion towards Croatia wielding such power. My Government feels that this attitude and actions of the Co-Chairman are most seriously undermining the present delicate stage of negotiations. The solution is in the imminent reintegration of the

occupied territories, where the next step in this regard has to be a joint oil company as provided by the Agreement of 2 December 1994.

My Government would like to reiterate once again that the occupied territories of Croatia (consisting of parts of the UNPAs, the so-called "pink zones" and "blue zones") are exactly that: occupied parts of the independent and sovereign territory of the Republic of Croatia. No part of the Republic of Croatia is subjected or has ever been subjected to internationally imposed economic sanctions.

The Republic of Croatia shall draw the appropriate conclusions from the assessment of the policies of the International Conference on the Former Yugoslavia monitoring Mission and the International Conference on the Former Yugoslavia in general, and their impact on the peace process in the former Yugoslavia.

I would be grateful if you would have the present letter circulated as a document of the fiftieth session of the General Assembly under the agenda item entitled "The situation in the occupied territories of Croatia", and of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/20
10 January 1995

ORIGINAL: ENGLISH

LETTER DATED 9 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF AFGHANISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to Security Council resolution 968 (1994) of 16 December 1994 on the situation on the Tajik-Afghan border, I have the honour to communicate herewith a protest note dated 6 January 1995, issued by the Ministry of Foreign Affairs of the Islamic State of Afghanistan concerning a number of violations of the air space of Afghanistan by war planes belonging to the Russian Federation's "border forces" and the bombardment on a number of villages situated near the frontier, inside Afghanistan (see annex).

The Islamic State of Afghanistan believes that such acts of naked aggression on Afghanistan will further aggravate the situation and seriously hamper the cooperative and positive atmosphere created as a result of the recent talks on Tajikistan held under United Nations auspices.

With reference to the provisions of the above-mentioned resolution and without prejudice to the many positive elements contained in it, I also have the honour to bring the following to your attention. It represents the reaction of the Islamic State of Afghanistan to the above-mentioned resolution:

1. As a matter of principle, the Islamic State of Afghanistan, while continuing to support the United Nations initiatives and peaceful endeavours to find a just and lasting solution to the problem and in this regard to cooperate fully with Ambassador Ramiro Piriz-Ballon, the Secretary-General's personal representative for Tajikistan, was expecting that, in any consultation for the purpose of drafting such an important resolution on the situation in the Afghan-Tajik border in which Afghanistan as an essential party was affected, that it would have been involved and its views and opinions sought.

2. As has been stated in the past, Afghanistan continues to believe strongly that the endorsement by a Security Council resolution of the stationing of the armed forces of the Russian Federation under the name of the "Collective Peace-keeping Forces of the Commonwealth of Independent States" in Tajikistan, especially on the border between Afghanistan and

Tajikistan, is not a healthy course of action. This is being demonstrated in the light of the recent history of the former Soviet Union's armed aggression in Afghanistan, which produced 1.7 million deaths and immeasurable destruction to the Afghan nation, as well as of the sensitivities of the Afghan people to the continued presence of Russian forces on the border and their aggressive activities against Afghanistan.

The unjustifiable acts of provocation perpetrated by Russian border forces stationed in Tajikistan were once again demonstrated by their numerous acts of naked aggression in January 1995 on a number of villages inside Afghanistan, which caused many deaths to the civilian population and enormous destruction.

3. A comprehensive political settlement to the problem requires the identification of the basic causes of the conflict, among which a fundamental factor is undeniably an internal political crisis inside Tajikistan that has caused more than 110,000 Tajik civilians to take refuge inside Afghanistan.

Undertaking appropriate confidence-building measures by the authorities of Tajikistan will certainly enhance the chances for national reconciliation. This objective cannot be achieved without the creation of a favourable political atmosphere and conditions for the voluntary repatriation of Tajik refugees, a matter that, astonishingly enough, seems to have been overlooked in Security Council resolution 968 (1994).

4. As far as Afghanistan is concerned, it will continue to comply with the obligation assumed as regards the implementation of the Agreement of 17 September 1994 (S/1994/1102, annex I). The good intentions of the Islamic State of Afghanistan have been made clear in this matter in the statement by Mr. Najibullah Lafraie, Minister of State for Foreign Affairs of Afghanistan, in the general debate of the General Assembly on 30 September 1994 (see A/49/PV.13).

It is my expectation that you would bring the matter to the attention of the Council. I request you kindly to arrange for the circulation of the present letter and its annex as a document of the Security Council.

(Signed) Ravan A. G. FARHADI
Ambassador
Permanent Representative

Annex

Note dated 6 January 1995 from the Ministry of Foreign Affairs of Afghanistan addressed to the Ministry of Foreign Affairs of the Russian Federation and to Tajikistan

Protest note

The Ministry of Foreign Affairs of the Islamic State of Afghanistan learned with great regret that:

1. On 28, 29 and 30 December 1994, military planes of the Russian Federation's armed forces, violating the air space of the Islamic State of Afghanistan, conducted two rounds of night-time air raids on the Bahaarak district of Badakhshan province. As a result of these barbaric raids, 88 shops and 15 houses were destroyed and a number of innocent civilians were martyred and wounded.

2. According to a report provided by the 12th Frontier Regiment, on 2 January 1995, at 3.30 p.m., 22 shells were fired by Russian border forces on Wadab Maymee village.

3. On the basis of another report, on 3 January 1995, eight Russian jet bombers conducted air raids on the villages of Maymee, Waresee, Shaaj-goon, Safed-Sang, Sar-Chashma, Khojma, Tagaab and Worgon in the Darwaaz district of Badakhshan, causing the death of 3 women and 2 men, and wounding 10 persons.

4. Similarly, on the nights of 4 and 5 January 1995, the village of Waresee in the Darwaaz district came under heavy shelling from mountain mortars, causing extensive destruction.

5. According to another report, on 2 January 1995, war planes of the Russian Federation, after violating the airspace of Afghanistan, conducted 11 sorties on the Chah-i-Aab district of Takhaar Province, as a result of which a number of innocent civilians were martyred and wounded, and numerous houses damaged.

The Ministry of Foreign Affairs of the Islamic State of Afghanistan, considering these naked aggressions committed by the Russian border for the Bahaarak, Darwaaz and Chah-i-Aab districts of Takhar and Badakhs' n provinces as acts evidently contradicting the principles of good-neighbourliness, hereby conveys its strong protest to the auth Republic of Tajikistan.

The Islamic State of Afghanistan stresses that the Russian "border forces" on the territory of Afghanistan so-called response to the acts of the Tajik opposition s Afghanistan, rests on no legal or lawful grounds. The I Afghanistan once again rejects the allegations of the use by the Tajik

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opposition of Afghan territory for the conduct of attacks on the Russian border forces stationed in Tajikistan.

For the purpose of restoring peace and stability in the region, the Ministry of Foreign Affairs of the Islamic State of Afghanistan hopes that the authorities of the Republic of Tajikistan will refrain from such aggression, which would produce no result other than further aggravation of the situation and instability, as well as the killing of innocent civilians.

UNITED
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Security Council

Distr.
GENERAL

S/1995/21
11 January 1995
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Czech Republic, France, Germany, Italy and United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling all its earlier relevant resolutions, and in particular resolution 943 (1994) of 23 September 1994,

Welcoming the measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), in particular those detailed in the annex to the Secretary-General's letter of 4 January 1995 to the President of the Security Council (S/1995/6), to maintain the effective closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and noting that those measures were a necessary condition for the adoption of the present resolution,

Stressing the importance of the maintenance by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) of the effective closure of that border, and of further efforts by them to enhance the effectiveness of that closure, including by the prosecution of persons suspected of violating measures to that end and by sealing border crossing points as requested by the Mission of the International Conference on the Former Yugoslavia (ICFY),

Expressing appreciation for the work of the Co-Chairmen of the Steering Committee of the ICFY and of the ICFY Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro), and stressing the importance it attaches to the availability of all necessary resources for the work of the Mission,

Noting that paragraph 9 of resolution 757 (1992) of 30 May 1992 remains in force,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the restrictions and other measures referred to in paragraph 1 of resolution 943 (1994) shall be suspended for a further period of 100 days from the adoption of the present resolution;

2. Calls upon all States and others concerned to respect the sovereignty, territorial integrity and international borders of all States in the region;

3. Reaffirms that the requirements in paragraph 12 of resolution 820 (1993) that import to, export from and transshipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina respectively, apply to all shipments across the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina;

4. Requests the Committee established by resolution 724 (1991) urgently to expedite its elaboration of appropriate streamlined procedures as referred to in paragraph 2 of resolution 943 (1993), and to give priority to its consideration of applications concerning legitimate humanitarian assistance, in particular applications from the International Committee of the Red Cross and from the United Nations High Commissioner for Refugees and other organizations in the United Nations system;

5. Requests that every thirty days the Secretary-General submit to the Security Council for its review a report as to whether the Co-Chairmen of the ICFY Steering Committee certify that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are effectively implementing their decision to close the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and are complying with the requirements of paragraph 3 above in respect of all shipments across the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina, and further requests the Secretary-General to report to the Council immediately if he has evidence, including from the Co-Chairmen of the ICFY Steering Committee, that those authorities are not effectively implementing their decision to close that border;

6. Decides that if at any time the Secretary-General reports that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are not effectively implementing their decision to close that border, the suspension of the measures referred to in paragraph 1 above shall terminate on the fifth working day following the report of the Secretary-General, unless the Security Council decides to the contrary;

7. Decides to keep the situation closely under review and to consider further steps with regard to measures applicable to the Federal Republic of Yugoslavia (Serbia and Montenegro) in the light of further progress in the situation;

8. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/22
13 January 1995

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolutions 788 (1992) of 19 November 1992, 813 (1993) of 26 March 1993, 856 (1993) of 10 August 1993, 866 (1993) of 22 September 1993 and 911 (1994) of 21 April 1994 and 950 (1994) of 21 October 1994,

Having considered the reports of the Secretary-General dated 18 May 1994 (S/1994/588), 24 June 1994 (S/1994/760), 26 August 1994 (S/1994/1006), 14 October 1994 (S/1994/1167) and 6 January 1995 (S/1995/9) on the United Nations Observer Mission in Liberia (UNOMIL),

Viewing with appreciation the diplomatic achievement of the current chairman of the Economic Community of West African States (ECOWAS), President Jerry Rawlings of Ghana, in bringing together the factions leaders of Liberia to sign the Accra Agreement, (S/1995/7) on 21 December 1994, which builds upon the Yamoussoukro, Cotonou and Akosombo agreements and includes a timetable for the implementation of its provisions,

Commending once again the efforts of the Economic Community of West African States (ECOWAS), which has played a crucial role in the search for a peaceful solution to the Liberian conflict,

Commending also those African States that have contributed troops to the ECOWAS Monitoring Group (ECOMOG), and those Member States that have provided assistance in support of the peace negotiations and the peace-keeping forces, including contributions to the Trust Fund for Liberia,

Expressing the hope that a summit of the ECOWAS States will be convened at the earliest possible date to harmonize their policies on Liberia and promote implementation of the Accra Agreement, including tightening the application of the arms embargo,

Taking note with concern that there has been a continuing inflow of arms in Liberia in violation of the existing arms embargo, which has further destabilized the situation in Liberia,

Deeply concerned that the humanitarian situation in Liberia has worsened due to the lack of security in the country and the resulting inability of national and international relief organizations to function effectively,

Calling on the Liberian leaders and factions to demonstrate their commitment to the peace process by maintaining the cease-fire, which came into effect on 28 December 1994, recommitting themselves to the disarmament process and implementing without delay all provisions of the Accra Agreement,

1. Welcomes the report of the Secretary-General dated 6 January 1995;

2. Decides to extend the mandate of UNOMIL until 13 April 1995;

3. Expresses deep concern at the failure of the Liberian parties so far to reach agreement on the composition of the Council of State as stipulated in the Accra Agreement at the recent talks in Accra and calls upon them to work together to implement the Accra Agreement by upholding the cease-fire, resuming disarmament and demobilization of combatants and implementing the other relevant aspects of the agreement in accordance with the timetable, including the prompt installation of the New Council of State;

4. Requests that the Secretary-General base any decision to return UNOMIL and its civilian staff to the level authorized under resolution 866 (1993) on the existence of an effective cease-fire and on the ability of UNOMIL to carry out its mandate;

5. Further requests that the Secretary-General report to the Security Council on the situation in Liberia, on the role of UNOMIL and of ECOMOG, including on the needs of ECOWAS States to maintain their troops in ECOMOG, on or before 1 March 1995;

6. Reminds all Member States of their obligation strictly to abide by and comply with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992);

7. Demands once more, that all factions in Liberia strictly respect the status of ECOMOG and UNOMIL personnel, and those of organizations and personnel delivering humanitarian assistance throughout Liberia and further demands that these factions facilitate such deliveries and that they strictly abide by applicable rules of international humanitarian law;

8. Urges Member States to provide support for the peace process in Liberia by contributing to the United Nations Trust Fund for Liberia, and by providing financial, logistical and other assistance in support of the troops participating in ECOMOG in order to enable ECOMOG to deploy fully and to carry out its mandate, particularly with respect to encampment and disarmament of the Liberian factions;

9. Requests, in this regard, the Secretary-General to continue his efforts to obtain financial and logistical resources from Member States;

10. Commends the efforts made by Member States and humanitarian organizations to provide emergency humanitarian assistance and especially the efforts of neighbouring countries to assist Liberian refugees;

11. Commends also the ongoing efforts of ECOWAS to further the Liberian peace process, and the commitment of ECOMOG to ensure the safety of UNOMIL military observers and civilian staff;

12. Welcomes the tireless efforts by the Secretary-General and his Special Representative to promote the cause of peace in Liberia;

13. Decides to remain actively seized of the matter.

UNITED
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Security Council

Distr.
GENERAL

S/1995/23
12 January 1995
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Draft resolution

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994, 906 (1994) of 25 March 1994, 934 (1994) of 30 June 1994 and 937 (1994) of 21 July 1994,

Having considered the report of the Secretary-General of 6 January 1995 (S/1995/10 and Add.1 and 2),

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Georgia, and in this context recalling the statement by the President of the Security Council of 2 December 1994 (S/PRST/1994/78),

Reaffirming also the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on voluntary return of refugees and displaced persons (S/1994/397, annex II), signed in Moscow on 4 April 1994,

Urging the parties to refrain from any unilateral actions which could complicate or hinder the political process aimed at an early and comprehensive settlement of the conflict,

Deeply concerned about the lack of progress regarding a comprehensive political settlement as well as the slow pace of return of refugees and displaced persons,

Calling upon the parties to intensify efforts, under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and with the participation of representatives of the Organization on Security and Cooperation in Europe (OSCE), to achieve an early and comprehensive political settlement of the conflict, including on the political status of Abkhazia, fully respecting the sovereignty and territorial integrity of the Republic of Georgia,

Expressing its satisfaction with the close cooperation and coordination between the United Nations Observer Mission in Georgia (UNOMIG) and the Commonwealth of Independent States (CIS) peace-keeping force in the performance of their respective mandates,

Commending the contribution of the CIS peace-keeping force and of UNOMIG to the maintenance of a cease-fire and to the stabilization of the situation in the zone of the Georgian-Abkhaz conflict,

1. Welcomes the report of the Secretary-General of 6 January 1995;

2. Decides to extend the mandate of UNOMIG, as set out in its resolution 937 (1994), for an additional period terminating on 15 May 1995;

3. Requests the Secretary-General to report within two months of the adoption of this resolution on all aspects of the situation in Abkhazia, Republic of Georgia;

4. Encourages the Secretary-General to continue his efforts aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia and calls upon the parties to reach substantive progress in the negotiations under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and with participation of representatives of the OSCE;

5. Calls upon the parties to comply with their commitments with regard to the return of refugees and displaced persons, as undertaken in the Quadripartite Agreement and in particular calls upon the Abkhaz side to accelerate the process significantly;

6. Decides to undertake, on the basis of a report from the Secretary-General submitted by 4 May 1995 and in the light of any progress achieved towards a political settlement and the return of refugees and displaced persons, a thorough review of the situation in Abkhazia, Republic of Georgia;

7. Requests also the Secretary-General to examine, within UNOMIG's existing mandate, in cooperation with the relevant Representatives of the CIS peace-keeping force the possibility of additional steps to contribute to conditions conducive to the safe and orderly return of refugees and displaced persons;

8. Reiterates its encouragement to Member States to contribute to the voluntary fund in support of the implementation of the Agreement on a Cease-Fire and Separation of Forces signed in Moscow on 14 May 1994 (S/1994/583, annex I) and/or for humanitarian aspects including demining, as specified by the donors;

9. Decides to remain actively seized of the matter.

UNITED
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Security Council

Distr.
GENERAL

S/1995/24
12 January 1995
ENGLISH
ORIGINAL: FRENCH

Draft resolution

The Security Council,

Reaffirming its resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991, 809 (1993) of 2 March 1993 and 907 (1994) of 29 March 1994,

Recalling the statements by the President of the Security Council of 29 July 1994 (S/PRST/1994/39) and 15 November 1994 (S/PRST/1994/67),

Having considered the Secretary-General's report of 14 December 1994 (S/1994/1420),

Welcoming the efforts of the Secretary-General during his visit to the region from 25 to 29 November 1994,

Committed to reaching a just and lasting solution of the question of Western Sahara,

Urging the two parties to cooperate fully with the Secretary-General and the United Nations Mission for the Referendum in Western Sahara (MINURSO) to ensure prompt and full implementation of the Settlement Plan,

Noting the Secretary-General's judgement that the only way to complete identification and registration in a reasonable time is through a major reinforcement of personnel and other resources,

Concerned that the implementation of the Settlement Plan has been delayed and that in the circumstances the mandate of MINURSO, like the other United Nations operations, should be subject to periodic consideration by the Council,

1. Welcomes the report of the Secretary-General on the situation concerning Western Sahara of 14 December 1994;

2. Reiterates its commitment to holding, without further delay, a free, fair and impartial referendum for self-determination of the people of Western Sahara in accordance with the Settlement Plan which has been accepted by the two parties;

3. Calls upon the two parties to cooperate fully with the Secretary-General and MINURSO in their efforts to implement the Settlement Plan in accordance with the relevant Security Council resolutions and within the time-scale outlined in paragraphs 21 and 22 of the Secretary-General's report;

4. Welcomes the fact that voter identification has begun and is continuing albeit at a slow pace, and commends MINURSO for the progress achieved thus far;

5. Approves the expansion of MINURSO as proposed in paragraphs 17 to 19 of the Secretary-General's report and expresses the hope that every effort will be made to deploy the observers necessary to complete the identification process in a timely fashion in accordance with the Settlement Plan;

6. Requests the Secretary-General to report by 31 March 1995 to confirm the arrangements with regard to the logistic, personnel and other resources required for the deployment of MINURSO at full strength, on his final plans for implementing all elements of the Settlement Plan and on the responses of the parties to his proposals in order to fulfil the United Nations mission in Western Sahara;

7. Encourages the Secretary-General to continue to deploy all possible efforts in order to create a propitious atmosphere conducive to a speedy and effective implementation of the Settlement Plan;

8. Expects to be able, on the basis of the report requested in paragraph 6 above, to confirm 1 June 1995 as the date for the start of the transitional period, with a view to holding the referendum in October 1995 and to bringing the mission to a successful conclusion shortly thereafter, in accordance with the Settlement Plan;

9. Decides that the mandate of MINURSO should continue to 31 May 1995;

10. Decides also to consider the possible extension of the mandate of MINURSO after 31 May 1995 on the basis of a further report from the Secretary-General and in the light of progress achieved towards the holding of the referendum and the implementation of the Settlement Plan;

11. Requests the Secretary-General to keep the Security Council fully informed of further developments in the implementation of the Settlement Plan for the Western Sahara during this period;

12. Decides to remain seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/25
12 January 1995

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF FRANCE ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 7 November 1994 from the Permanent Representative of France to the United Nations, stating that Mr. Philippe Thiébaud has been appointed alternate representative of France on the Security Council.

In the opinion of the Secretary-General, the above letter constitutes adequate provisional credentials.

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Security Council

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S/1995/26
11 January 1995

ORIGINAL: ENGLISH

LETTER DATED 11 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the enclosed letter, dated 10 January 1995, from my President addressed to you.

May I ask for your kind assistance in circulating this letter and its annex as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

95-00773 (E) 110195 120195

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Annex

Letter dated 10 January 1995 from the President of Bosnia and Herzegovina addressed to the President of the Security Council

We have committed ourselves to the cease-fire and cessation-of-hostilities agreement (signed on 23 and 31 December 1994, respectively) with the hope that this would bring a pause in the war throughout the entire territory of the Republic of Bosnia and Herzegovina and the hope for a true, durable peace.

Unfortunately, neither goal remains achieved. While the so-called Bosnian Serbs continue to pervert the cessation of hostilities as another method to undermine and reject the Contact Group peace plan, their accomplices, the so-called Croatian Serbs, continue to engage in an offensive and cross-border aggression against the Bihać region of the Republic of Bosnia and Herzegovina.

The representatives of the United Nations Protection Force (UNPROFOR) in our meetings in Sarajevo have confirmed that this aggression has not ceased and that they cannot, unfortunately, report that the so-called Croatian Serbs have withdrawn back across the border.

We request that the Security Council re-emphasize its call to put an end to this cross-border aggression and for the withdrawal of these invading forces. Failure to adequately respond to this matter undermines the entire fragile cease-fire in our Republic as well as being a violation of international law with respect to which we reserve all options to respond.

(Signed) Alija IZETBEGOVIC

UNITED
NATIONS

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S/1995/27
12 January 1995
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 10 JANUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you the text of a statement issued on 3 January 1995 by the Ministry of Foreign Affairs of the Republic of Tajikistan concerning the latest developments on the Tajik-Afghan border.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) L. KAYUMOV
Ambassador
Permanent Representative

95-00839 (E) 120195 120195 130195

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Annex

[Original: Russian]

Statement issued on 3 January 1995 by the Ministry of Foreign Affairs of the Republic of Tajikistan

At a briefing for members of the local and foreign press, held on 3 January 1995, the chief of the Department of Information of the Department of Foreign Policy of Tajikistan, Mr. Zafar Saidov, read out the following text of a statement issued by the Ministry of Foreign Affairs of the Republic of Tajikistan:

"Developments on the Tajik-Afghan border have given rise to our concern and anxiety in connection with the continuing attempts by detachments of the Tajik opposition to cross the border illegally, the incessant shelling of units of Russian border troops and individual groups of border guards, and other hostile acts perpetrated at the border by fighters of the Tajik opposition.

"On 2 January 1995, a group of fighters of the Islamic Renaissance Party of Tajikistan under the command of Junaydullo, seized four local residents of the border settlement of Kurzovad in Darvaz district of Gorny Badakhshan Autonomous Region, one of whom was blown up by a mine. A strengthened Russian border detail on an armoured infantry vehicle went to the aid of the civilian population but was shelled by recoilless guns from the territory of the Islamic State of Afghanistan. As a result, six Russian border guards were killed and several were wounded and the armoured infantry vehicle was put out of action. As the Russian border reserve advanced, mines that had been laid in the road exploded. The fire positions of the fighters across the border were neutralized by a retaliatory attack by the Russian border guards.

"The Ministry of Foreign Affairs of the Republic of Tajikistan has reliable information that among those involved in the aforementioned bandit raid were mercenary fighters who have received special terrorist training and who are being paid by countries of the Asian region. It is obvious that the provocation was in contravention of the Agreement on a Temporary Cease-fire and had a specific purpose: to derail efforts to achieve a peaceful settlement of the inter-Tajik conflict.

"At the same time, the leaders of the intransigent Tajik opposition are seeking to give world public opinion a false picture of the activities of Russian border guards, accusing them of carrying out preventive attacks, violating the Agreement on a Temporary Cease-fire and detaining armed members of the opposition.

"In this connection, the Ministry of Foreign Affairs of the Republic of Tajikistan has been authorized to state that the activities of Russian border guards are restricted to the performance of tasks necessary for the

safeguarding of the Tajik-Afghan border; such actions do not contradict the inter-Tajik Agreement on a Temporary Cease-fire.

"The legal basis for the presence of Russian border troops in Tajikistan is the Agreement between the Russian Federation and the Republic of Tajikistan on the Legal Status of the Border Troops of the Russian Federation Situated in the Territory of the Republic of Tajikistan, which was signed in Moscow on 25 May 1993.

"In accordance with that Agreement, questions related to the safeguarding of the State border with Afghanistan within the territory of Tajikistan are delegated to the border troops of the Russian Federation.

"In their activities to protect the States members of the Commonwealth of Independent States, the Russian border troops are guided by the laws of the Republic of Tajikistan and legislative and other normative acts of the Russian Federation in so far as they do not contradict the legislation of the Republic of Tajikistan.

"The border troops of the Russian Federation are performing their duties involved in the safeguarding of the border in accordance with the principle of neutrality. Weapons and fighting equipment are used by border troops only in response to the use of weapons by persons who violate the border and armed groups. Since the Agreement entered into force, the border troops have engaged in measures to uphold the security regime of the State border, which was established in a treaty between the Governments.

"The border troops suppress any attempts to violate the border and transport weapons or narcotic drugs across it, and they detain persons who have violated, or have attempted to violate, the border, irrespective of whether such persons are supporters or opponents.

"The Russian border troops are doing everything possible to stabilize the situation on the Tajik-Afghan border.

"During the meetings held yesterday between representatives of the command of the Russian border troops in Tajikistan with representatives of Afghan border troops and officials of the Afghan border areas, the latter declared that they would prohibit illegal acts perpetrated by fights of the intransigent Tajik opposition from the territory of the Islamic Republic of Afghanistan. However, to all appearances, they are not really in control of the situation but are merely the tool of the most intransigent faction of the Tajik opposition, and they are letting their territory be used as a base for armed raids and illegal acts at the border.

"The Ministry of Foreign Affairs of the Republic of Tajikistan wishes to draw the attention of the leaders of the Islamic State of Afghanistan to the continuing provocations by fighters of the intransigent Tajik opposition at various points along the Tajik-Afghan border and, in that connection, the Ministry has been authorized to lodge a protest from the Tajik side, reserving the right of that side to suppress such aggressive

acts with all vigour firmness and maintain the established border security regime.

"The Ministry of Foreign Affairs of the Republic of Tajikistan appeals to the States parties to the Treaty on Collective Security to take additional steps to strengthen and safeguard the Tajik-Afghan sector of the southern borders of the Commonwealth of Independent States."

At a briefing of chiefs of the information service, the Ministry of Foreign Affairs of Tajikistan stated that a group of official representatives had been sent to Darvaz district of Gorny Badakhshan Autonomous Region to the place where the incident occurred; the group included the Deputy Minister of Security of the Republic of Tajikistan, Major-General A. S. Kuznetsov, the commander of the border troops of the Russian Federation in Tajikistan, Mr. A. T. Chechulin, Ambassador Extraordinary and Plenipotentiary of the Russian Federation in Tajikistan, Mr. M. I. Senkevich, United Nations military observers and members of the joint commission to monitor the observance of the inter-Tajik Agreement on a Temporary Cease-fire.

(Signed) Z. SAIDOV

UNITED
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General Assembly
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S/1995/28
12 January 1995

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GENERAL ASSEMBLY
Fiftieth session
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 12 January 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the letter dated 12 January 1995 from the President of the Republic of Croatia, Dr. Franjo Tudjman, addressed to you.

I would kindly request your assistance in distributing the present letter and its annex as a document of the fiftieth session of the General Assembly, under the agenda item entitled "The situation in the occupied territories of Croatia", and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

ANNEX

Letter dated 12 January 1995 from the President of the Republic of Croatia to the Secretary-General

The ongoing crisis in south-eastern Europe, started by the aggression of the Yugoslav Communist Army and of Serbia and Montenegro, following the dissolution of the former Socialist Federal Republic of Yugoslavia, against Croatia and Bosnia and Herzegovina, has become a grave security threat to the whole region. In its progress the crisis has disrupted international peace and paralysed numerous international forums: the United Nations, the European Union, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organization, and so forth. The unspeakable crimes committed against humanity and the great suffering of millions of people have been putting an ever-increasing strain on international institutions and humanitarian organizations.

The international community, including the United Nations, has been involved in attempts to resolve the crisis from its outbreak. The Vance Plan and the mission of the United Nations Protection Force (UNPROFOR) had positive effects on the situation in the beginning. UNPROFOR and the Office of the United Nations High Commissioner for Refugees (UNHCR), as well as other humanitarian organizations, have made significant contributions in respect of humanitarian needs in Croatia. UNPROFOR played an important role in the withdrawal of the Yugoslav People's Army (JNA) from Croatia (although on that occasion JNA left its armament to the local Serb insurgents). UNPROFOR's arrival signified an end to large-scale hostilities in Croatia. During its engagement more than 50 of its members have lost their lives and more than 500 have been wounded while valiantly carrying out their duties in Croatia. Croatia will always remain grateful and will remember their ultimate sacrifice and the loss to their families.

Despite its endeavours, UNPROFOR has been unable to implement the most important operative provisions of the Vance Plan and subsequent Security Council resolutions, including the latest, resolution 947 (1994). The key provisions of the Vance Plan (resolution 740 (1992), preceded by resolution 721 (1991)) included: the demilitarization of the United Nations Protected Areas (UNPAs) (i.e. disarming and disbanding of rebel Serb units); the establishment of the local police force (with only side-arms) in a proportion reflecting the national composition of the population which lived there before the hostilities, under civilian United Nations police monitors; the deployment of military observers in parts of Bosnia and Herzegovina adjacent to Croatia; and the return of displaced persons to their homes. None of these provisions have been implemented. Moreover, a critically important element of the peace process, the control of Croatia's international border, provided for by resolution 769 (1992), has not been enforced.

As the previous mandate of UNPROFOR was about to expire, you came to the conclusion, in your report to the Security Council of 17 September 1994 (S/1994/1067), that the Vance Plan and all subsequent resolutions had not been implemented because of the opposition of rebel Serbs in UNPAs, with the

exception that (notwithstanding frequent violations) armed hostilities had ceased. You further concluded that UNPROFOR was in no position to discharge its responsibilities and meet the demands justifiably made by Croatia, because it lacked the required forces and resources, and that such a stalemate contributed to sustaining the unsatisfactory status quo.

The situation has not changed at all since then. The responsibility still rests with the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) and its proxies in the occupied territories of Croatia. The Belgrade Government and the local Serb authorities in Knin have accepted only some minor provisions of the Security Council resolutions. They continue to reject any decisive measures outlined by the Security Council and the General Assembly aimed at reintegrating the occupied territories into Croatia. On the contrary, the process of integrating the occupied territories of Croatia into the political, military, legal and administrative system of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues despite General Assembly resolution 49/43 of 9 December 1994 declaring that the UNPAs are de facto occupied territories of the Republic of Croatia.

In the two years of the presence of UNPROFOR in Croatia, the process of ethnic cleansing of the Croats and non-Serbs in the occupied territories has been completed. Before the arrival of UNPROFOR, Serb insurgents, aided by JNA, expelled (ethnically cleansed) from the occupied Territories 390,000 non-Serb residents (Croats, Hungarians, Ruthenians, Czechs, Slovaks, etc.) and killed many thousands at the same time. Some 600 Croats have been killed and 12,000 of them forcefully expelled since UNPROFOR has been entrusted with protection of these territories. Plunder of Croatian wealth and natural resources, as well as destruction of property, have continued. Moreover, the occupied territories of Croatia have been used for constant attacks on other parts of Croatia and even Bosnia and Herzegovina. The international community has recently been aghast and scandalized when the United Nations Safe Area of Bihać in neighbouring Bosnia and Herzegovina has been, unchallenged, attacked by Serb insurgents from UNPAs. These attacks by the UNPA Serbian forces continue even today, despite the general cease-fire agreement in Bosnia and Herzegovina, in gross violation of all international norms.

Croatia has demonstrated and exercised the highest degree of goodwill, cooperation and restraint during the past two difficult years. Croatia has even accepted considerable modifications to the Vance Plan, such as the establishment of the "pink zones" and the "blue lines", the latter being an element of the Zagreb Cease-fire Agreement of 29 March 1994, which has been grossly violated, most blatantly so through the coordinated offensive and aggression on Bihać by the Serbs from the occupied territories of Croatia.

The Economic Agreements signed on 2 December 1994, which have to be viewed as yet another clear proof of Croatia's full readiness to proceed with its programme of peaceful reintegration of the occupied territories, are not being implemented except with respect to the opening of the highway in UNPA West, but even that has not been done pursuant to the Agreement. Less than one tenth of these Agreements have been implemented so far, with rather slim chances for real further progress, because local Serbs are interpreting the resolutions and

decisions of the United Nations, and the Economic Agreements, as allowing them to secede from Croatia.

Croatia finds the present situation in the occupied territories wholly unacceptable. Moreover, given the present inefficient UNPROFOR mission, Croatia finds the continued presence of UNPROFOR in the occupied territories to be significantly counterproductive to the peace process. The Serb intransigence and UNPROFOR's reserve are de facto allowing and promoting occupation of parts of Croatia's territory. The "freezing" of a negative status quo is unacceptable to the Government of Croatia.

The Parliament of the Republic of Croatia, by its resolution of 23 September 1994, decided that the mandate of UNPROFOR in Croatia would be conditionally extended for a period of 100 days, following its expiration on 30 September, only if specific steps were undertaken and results achieved during that period.

On the basis of the aforementioned and Croatia's overall experience during the past two years, I can only conclude that, although UNPROFOR has played an important role in stopping violence and major conflicts in Croatia, it is an indisputable fact that the present character of the UNPROFOR mission does not provide conditions necessary for establishing lasting peace and order in the Republic of Croatia, a sovereign State Member of the United Nations.

Therefore, as the President of the Republic of Croatia, I have the honour to inform you that the UNPROFOR mandate is hereby terminated effective 31 March 1995 in accordance with Security Council resolution 947 (1994).

The Government of Croatia will immediately contact your Special Representative, Mr. Y. Akashi, and will discuss with him all the questions regarding the withdrawal of UNPROFOR forces. We hope it will be accomplished in a dignified, proper and efficient way till the end of the mandate or no later than three months after the expiry of the mandate.

Croatia is also prepared to conclude with the United Nations an agreement on continued logistic assistance and support for UNPROFOR operations in the Republic of Bosnia and Herzegovina, including the continued and uninterrupted functioning of the UNPROFOR headquarters in Zagreb. In both aspects the United Nations can fully count and rely on the continued support and assistance of the appropriate Croatian governmental institutions.

The termination of the UNPROFOR mandate will not put an end to the negotiations; on the contrary, it should provide a new impetus for their more efficient outcome. The Republic of Croatia remains committed to its long-standing policy of peaceful reintegration of its occupied territories and continues to offer to all Serbs in Croatia cultural autonomy and the highest level of local autonomy in the counties in which the Serbs constituted the majority according to the pre-war census. Full respect of all human rights, and especially minority rights, can be observed and monitored by appropriate representatives of the international community.

Croatia is also prepared to intensify the negotiating process with the Belgrade authorities leading to mutual recognition within internationally recognized borders. It is, however, our most determined demand that the sanctions against the Belgrade regime and Bosnian Serbs should not be suspended before the recognition of Croatia within its internationally recognized borders by Belgrade, as a prerequisite for the peaceful reintegration of occupied parts of Croatia.

Should the negotiations with local Serb authorities be successful, Croatia is willing to reopen the discussion on establishing appropriate implementation and international monitoring of confidence-building mechanisms.

The Republic of Croatia remains deeply grateful and indebted to the thousands of UNPROFOR men and women who have served honourably in Croatia, to you, to the Security Council, to the many UNPROFOR troop-contributing countries and to all Member States that have financed and supported the present peace-keeping operation in Croatia.

Our decision should not be misunderstood under any circumstances. Croatia remains fully committed to the interests of the international community focused on peaceful establishment of a new international order in the region, and to its responsibility therein. The international community should continue to count on Croatia in this regard.

(Signed) Franjo TUDJMAN
President of the Republic of Croatia

UNITED
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General Assembly
Security Council

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~~A/49/826~~
S/1995/29
12 January 1995

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GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 11 January 1995 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to transmit the attached Declaration on the Prevention of Genocide against Bosniacs and Croats in Bosnia and Herzegovina, adopted by the Parliament of the Republic of Bosnia and Herzegovina on 17 December 1994.

May I ask for your kind assistance in circulating the present letter and the Declaration as a document of the forty-ninth session of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

95-00888 (E) 130195 160195

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ANNEX

Declaration on the Prevention of Genocide against Bosniacs and Croats in Bosnia and Herzegovina, adopted by the Parliament of the Republic of Bosnia and Herzegovina on 17 December 1994

In accordance with the Constitution of the Republic of Bosnia and Herzegovina - the revised text - article 314, paragraph 2, as well as in accordance with the rules of procedure of the Parliament of the Republic of Bosnia and Herzegovina, article 151, the Parliament of the Republic of Bosnia and Herzegovina, at the plenary session of its Council held on 17 December 1994, adopted the following

DECLARATION

ON THE PREVENTION OF GENOCIDE AGAINST BOSNIACS AND CROATS IN BOSNIA AND HERZEGOVINA

Soon, it will be the one thousandth day since the beginning of the brutal aggression against the Republic of Bosnia and Herzegovina, an internationally recognized country and a State Member of the United Nations.

The aggression has been launched by the former Yugoslav Army, while the war against our country has been organized and led by Serbia and Montenegro including, besides their own groups, the extreme separatist organization of the Bosnian Serbs.

A month ago, the aggression was extended because even the rebel Serbs from the United Nations Protected Areas (UNPAs) in Croatia crossed the border of Bosnia and Herzegovina using aircraft, tanks, infantry and all the means available, as they attacked the safe area of Bihać.

This is not just an ordinary war. In Bosnia and Herzegovina the aggressor is waging war against civilians, committing the crime of genocide against Bosniacs and Bosnian Croats.

The Serbian aggressor has publicly proclaimed its main objective, i.e., the extermination of Bosniacs and Bosnian Croats in the territories it occupied. In order to achieve this objective, massive killings were carried out among the unprotected civilians, women, children and elderly people.

The concentration camps, the pictures of which horrified the civilized world, were established. For that reason, the big concentration camps were, in the meantime, replaced by some 150 smaller detention camps where Bosniacs and Croats were getting killed daily in the most atrocious way.

The aggressor has been holding under siege, for nearly two years, the towns of Sarajevo, Gorazde, and Srebrenica, the Bihać region and other places, where there are more than 600,000 Bosniacs and Croats.

People in the besieged areas do not get any food, water, electricity, medicine or other most basic commodities.

Hundreds of humanitarian convoys get either returned or seized by the aggressor despite the presence of the United Nations forces. Surrounded areas are exposed to daily artillery shelling with the main purpose of killing as many Bosniacs and Croats as possible.

The Bosniacs and Croats within the encircled areas are intentionally exposed to such living conditions with the aim of having them exterminated. Here, the crime of genocide, broadcast by television cameras throughout the whole world, is taking place.

Therefore, we invoke the Convention on the Prevention and Punishment of the Crime of Genocide and ask for the support of all countries, States Members of the United Nations.

For the sake of preventing further genocide in Bosnia and Herzegovina, we expect from all democratic countries the following:

- To have all parliaments express their moral and political condemnation of the genocide against Bosniacs and Bosnian Croats;
- To send to Bosnia and Herzegovina, immediately, independent experts who are to establish facts on genocide and offer help in preventing and punishing the crime of genocide;
- To enable public presentation of information on genocide through the press, radio and television;
- To contribute to creating conditions necessary for the efficient work of the International Tribunal;
- To support the claims for preventing genocide which the Government of the Republic of Bosnia and Herzegovina is to forward to the United Nations, in accordance with article 8 of the Convention on the Prevention and Punishment of the Crime of Genocide;
- To deprive the perpetrators of genocide and their accomplices of any assistance, and to stop all kinds of cooperation with them.

It is your obligation, in compliance with international law, to help the people that are getting killed just because they are Bosniacs or Bosnian Croats. If the crime of genocide is not prevented and punished now, that will mean that genocide, as a way of accomplishing political goals, is being legalized and that the rules of international law are completely defeated.

This Declaration is to be forwarded to the parliaments of all States Members of the United Nations.

(Signed) Miro LAZOVIĆ
President